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2 **NOT FOR PUBLICATION**

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4
5 **IN THE UNITED STATES DISTRICT COURT**
6 **FOR THE DISTRICT OF ARIZONA**
7

8 Allstate Life Insurance Company,)

9 Plaintiff,)

10 vs.)

11 Robert W. Baird & Co. Inc., *et. al.*,)

12 Defendants.)

13 _____)
14 Ronald Covin, *et al.*,)

15 Plaintiffs,)

16 vs.)

17 Robert W. Baird & Co., Inc., et al.,)

18 Defendants.)
19 _____)

Lead Case No. CV-09-8162-PCT-GMS

Consolidated with:
Case No. CV-09-1874-PCT-GMS

AMENDED ORDER

20 Pending before the Court are Plaintiffs' Joint Motion to Amend their respective
21 complaints (Dkt. # 109), and Defendants' Motion requesting a new briefing schedule as well
22 as permission to both consolidate their motions to dismiss and exceed local rule 7.2(e) page
23 limits (Dkt. # 115). The Court grants both Motions.

24 To begin, Plaintiffs move to amend their respective complaints pursuant to Federal
25 Rule of Civil Procedure 15(a). Here, it appears that the proposed amendment, which is
26 unopposed, has been made in good faith and will facilitate a determination of the issues on
27 the merits. *See United States v. Webb*, 655 F.2d 977, 979 (9th Cir. 1981). The Court
28 therefore, grants the Motion to Amend.

1 The Court also grants Defendants' Motion for a new briefing schedule and their
2 request to consolidate the motions to dismiss and exceed local rule 7.2(e) page limitations.
3 While Plaintiffs desire to proceed with the currently pending motions to dismiss, the Court
4 finds that such an approach would ultimately prove to be confusing and inefficient. The
5 issues in this case appear to be complex, multifarious, and may be time consuming. Thus,
6 permitting the parties to proceed based on Defendants' new briefing schedule will simplify
7 and consolidate the various issues presented by the amended complaints. Moreover, because
8 the amended complaints may obviate the need to address some of the issues presented in the
9 original motions to dismiss, Defendants' proposed briefing schedule allows the parties to
10 ensure that only those issues that are pertinent to the amended complaints are raised in the
11 motions to dismiss.

12 **IT IS THEREFORE ORDERED:**

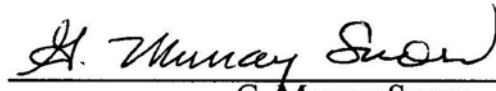
- 13 (1) Plaintiffs' Joint Motion to Amend their Complaints is **GRANTED** (Dkt. # 109);
- 14 (2) Plaintiff Allstate is directed to file its Amended Complaint and the Class-Action
15 Plaintiffs are directed to file their Second Amended Complaint and serve the
16 amended pleadings on all parties under Rule 5 of the Federal Rules of Civil
17 Procedure **within fourteen (14) days** of the date of this Order;
- 18 (3) Defendants' Motion requesting a new briefing schedule and permission to both
19 consolidate their motions to dismiss and exceed local rule 7.2(e) page limits is
20 **GRANTED** (Dkt. # 115);
- 21 (4) Defendants **SHALL** have forty-five (45) days, or until **April 16, 2010**, to file
22 new motions to dismiss; Plaintiffs shall have forty-five (days), or until **June 1,**
23 **2010** to respond; and Defendants will have twenty-one days (21), or until **June**
24 **22, 2010** to file their replies. No further extensions to these deadlines will be
25 granted;
- 26 (5) Defendants **SHALL** strictly adhere to the following page limitations when filing
27 their motions to dismiss: Underwriters—40 pages, The Town of Prescott
28 Valley—17 pages, The Law Firms—30 pages, The Fain Entities—17, pages; TL
29 Hocking & Associates—17 pages, The Authority—17 pages, Global
30 Entertainment—17 pages, and Prescott Valley Event Center—17 pages;
- 31 (6) The following Motions to Dismiss are **DENIED** as moot: Dkt. ## 75, 76, 80, 81,
32 & 85;

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1 (7) The following requests for judicial notice are **DENIED** as moot: Dkt. ## 73 &
2 106.

3 DATED this 3rd day of March, 2010.

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6 G. Murray Snow
7 United States District Judge
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